

RULEMAKING NOTICE FORM

Notice Number _____	Rule Number _____	Env-C 601
1. Agency Name & Address: Department of Environmental Services 29 Hazen Drive P.O. Box 95 Concord, NH 03302-0095	RSA 125-C:15, I-b; RSA 125-D:4; RSA 125-I:3-a; RSA 125-J:8, I-a; RSA 141-E:15-a, II; RSA 146-A:15; RSA 146-C:10-a; RSA 147-A:17-a; RSA 149-M:16; RSA 149-M:37, IV; RSA 482:79-a; RSA 482:89, II; RSA 482-A:13; RSA 482-B:16, II; RSA 483-B:17, V; RSA 485:58, IV; RSA 485-A:22, V; RSA 485-A:28; RSA 485-A:43, V; RSA 485-A:54, V; RSA 485-C:18; and RSA 487:7, II	
	2. RSA Authority: _____	
	3. Federal Authority: _____	
	4. Type of Action:	
	Adoption	_____
	Amendment	_____
	Repeal	_____
	Readoption	_____
	Readoption w/ amendment	<u> X </u>

5. Short Title: Administrative Fine Procedures

6. (a) Summary of what the rule says and the effect of the rule on those regulated:

The existing rules establish the procedures the Department follows when proposing to impose an administrative fine for violations of the statutes, rules, and permits implemented by the Department for which a statute authorizes a fine to be imposed. The rules will expire on December 3, 2006 unless readopted prior to then. The rules are proposed to be readopted with amendments that are intended to clarify the rules but not change any of the existing procedures.

6. (b) Brief description of the groups affected:

The rules affect any individual or entity against whom the Department proposes to impose an administrative fine.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule Section(s)	State Statute(s) Implemented
Env-C 601	RSA 125-C:15, I-b; RSA 125-D:4; RSA 125-I:3-a; RSA 125-J:8, I-a; RSA 141-E:15-a, II; RSA 146-A:15; RSA 146-C:10-a; RSA 147-A:17-a; RSA 149-M:16; RSA 149-M:37, IV; RSA 482:79-a; RSA 482:89, II; RSA 482-A:13; RSA 482-B:16, II; RSA 483-B:17, V; RSA 485:58, IV; RSA 485-A:22, V; RSA 485-A:28; RSA 485-A:43, V; RSA 485-A:54, V; RSA 485-C:18; and RSA 487:7, II

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

RULEMAKING NOTICE FORM - Page 2

Name: Gretchen Hamel

Title: Administrator, Legal Unit

Address: Department of Environmental Services
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

Phone #: (603) 271-3137

Fax#: (603) 271-8805

E-mail: ghamel@des.state.nh.us

The rules also can be viewed in PDF at
<http://www.des.nh.gov/Rulemaking/>

TTY/TDD Access: Relay NH 1-800-735-2964 or
dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **4:00 p.m. on Tuesday, September 5, 2006**

☒ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Wednesday, August 23, 2006, at 9:00 a.m.**

Place: Rooms 113/114, DES Offices, 29 Hazen Drive, Concord, NH

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 06:126 , dated 7/12/06

See Attached.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

These rules are procedural only and so have no costs associated with them and do not create, modify, or expand any program in a way that requires expenditures by political subdivisions. The rules thus do not violate Part I, Article 28-a of the N.H. Constitution.